

WEST BOUNTIFUL CITY

ORDINANCE #348-12

AN ORDINANCE AMENDING CHAPTER 2.44, HISTORIC PRESERVATION COMMISSION AND ADDING A SECTION, 17.24.110 HISTORICAL OVERLAY DISTRICT TO THE WEST BOUNTIFUL MUNICIPAL CODE.

WHEREAS, the City Council recognizes that the historical heritage of the West Bountiful community is among its most valued and important assets; and

WHEREAS, it is the intent of West Bountiful to preserve, protect and enhance historic areas and sites within the city; and

WHEREAS, the Historic Preservation Commission is responsible to focus on, document and preserve the history of the city, consider properties to be added to the historic landmark register, and provide advice on property improvements within the historic district; and

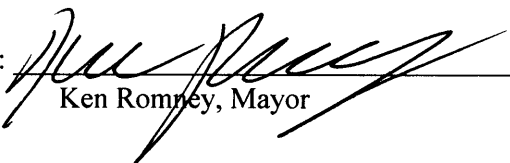
WHEREAS, review and approval of design plans within the city's historic district is better handled by an architectural review board managed by the city's planning department; and


WHEREAS, the West Bountiful City Planning Commission held public hearings, after proper notice, on May 8, 2012 and received no objection to the proposed changes.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF WEST BOUNTIFUL CITY, UTAH, THAT CHAPTER 2.44 AND CHAPTER 17.24 BE AMENDED AS INDICATED ABOVE AND IN ATTACHED EXHIBIT A.

This ordinance will become effective on August 1, 2012.

Adopted this 17th day of July, 2012.

By: 
Ken Romney, Mayor

Attest: 
Heidi Voordeckers, City Recorder

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	<u>X</u>	<u> </u>
Councilmember Bruhn	<u> </u>	<u>X</u>
Councilmember McKean	<u> </u>	<u>X</u>
Councilmember Preece	<u>X</u>	<u> </u>
Councilmember Tovey	<u>X</u>	<u> </u>

Chapter 2.44 HISTORIC PRESERVATION COMMISSION

Sections:

2.44.010 Purpose.

2.44.020 Commission established.

2.44.030 Commission duties.

2.44.040 West Bountiful sites list.

2.44.050 West Bountiful historic landmark register.

2.44.010 Purpose.

The city recognizes that the historical heritage of the West Bountiful community is among its most valued and important assets. It is therefore the intent of West Bountiful to identify, preserve, protect and enhance historic areas and sites lying within the city limits.

2.44.020 Commission Established.

A Historic Preservation Commission is established by the city of West Bountiful with the following provisions:

- A. The commission shall consist of a minimum of three voting members with a demonstrated dedication, interest, competence or knowledge in historic preservation, appointed by the city council for terms of not less than two years. The commission shall also have a non-voting representative from the planning commission and the city council.
- B. To the extent available in the community, two commission members shall be professionals, as defined by National Park Service regulations, from the discipline of history, archaeology, planning, architecture or architectural history.
- C. The commission shall meet at least once per quarter and conduct business in accordance with the Open Public Meeting laws of Utah. This includes public notification of meeting place, time and agenda items.
- D. Written minutes of each commission meeting shall be prepared and made available for public inspection.

2.44.030 Commission duties.

The Historic Preservation Commission shall have the following duties:

- A. Survey and Inventory Community Historic Resources. The Historic Preservation Commission shall conduct or cause to be conducted a survey of the historical, architectural and archaeological resources within the community. The survey shall be compatible with the Utah Inventory of Historic and Archaeological Sites. Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated at least every ten (10) years.
- B. Review Proposed Nominations to the National Register of Historic Places. The Historic Preservation Commission shall review and comment to the State Historic Preservation Officer on all proposed National Registry nominations for properties within the boundaries of West Bountiful City. When the Historic Preservation Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in that area before rendering its decision.
- C. Provide Advice and Information.
 - 1. The Historic Preservation Commission shall act in an advisory role to other officials and departments of government regarding the identification and protection of local historic and archeological resources.
 - 2. The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic preservation and community history.
- D. Advise in the building, maintenance and rehabilitation of city-owned buildings and sites in the Historic District.
- E. Apply for and administer grants as approved by the city council and other financial aid for historic preservation projects in the city.
- F. Enforce state historic preservation laws. The commission shall support the enforcement of all state laws relating to historic preservation. These include, but are not limited to: U.C.A. § 17A-3-1301 to 1306, The Historic District Act; U.C.A. §§ 9-8-305, -307 and -308 regarding the protection of Utah antiquities; and U.C.A. § 9-8-404 regarding notification of the State Historic Preservation Office of any known proposed action which will destroy or affect a site, building or object owned by the state of Utah and included on or eligible for the state of National Registers.
- G. Act as a review committee and provide advice for the historic appropriateness for future streetscapes and landscapes within historic districts, to include, but not be limited to, beautification projects, squeeze zones, street lighting, plants and trees, bike lanes and the use of roadside historic structures and/or markers.

Such advice includes consideration of the following standards for any new developments within the historic districts. The city desires to implement the same streetscape standards in the

existing historic district along 800 West Street as monies become available and the City Council deems the upgrades feasible.

1. Crosswalks – full-depth colored and stamped concrete shall be implemented in constructing crosswalks.
 2. Parking strips – shall be established at a standard width of six (6) feet in total width.
 3. Sidewalks – shall be established at a standard five (5) feet wide.
 4. Street Lighting – Period lighting shall be constructed and placed at an approximate spacing of five hundred (500) feet.
 5. Trees – existing historical trees shall be retained whenever possible. Additional trees shall be planted in the parking strip approximately sixty (60) feet apart at uniform intervals along the length of the historic district. The variety of the trees will be recommended by the Historic Preservation Commission.
- H. **Act** in an advisory role to the public and other officials and departments of government regarding the identification and protection of local historic and archaeological resources.
- I. Promote the continuing education of citizens regarding historic, architectural and cultural preservation and the community's history.
- J. Document events, and collect and archive pictures and news publications concerning the city.

2.44.040 West Bountiful sites list.

The Historic Preservation Commission may designate a historic district and historic properties to the historic sites list as a means of providing recognition to and encouraging the preservation of historic properties in the community.

- A. Criteria for designation of properties to the West Bountiful Historic Sites List. Any district, building, structure, object or site may be designated to the historic sites list if it meets all the criteria outlined below:
1. It is located within the official boundaries of the city;
 2. It is at least fifty (50) years old;
 3.
 - a. It retains its historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that would destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on the principal facades, addition of upper stories or the removal of original upper stories, covering the exterior walls with non-historic materials moving the resources from its original location to one that it dissimilar to the original

addition which significantly detract from or obscures the original form and appearance of the house when viewed from the public way.

b. If the property does not meet the integrity requirements outlined in 3.a of this subsection, it may still qualify for designation if it meets one of the following requirements for exception significance:

- i. It is directly associated with events of historic significance in the community,
- ii. It is closely associated with the lives of persons who were of historic importance to the community, or
- iii. It exhibits significant methods of construction or materials that were used within the historic period;

4. It has been documented according to the Utah State Historic Preservation Office standards for Intensive Level Surveys (December 2010 version or subsequent revisions) and copies of that documentation have been placed in the local and state historic preservation files.

B. Designation Procedures. Any person, group or government agency may nominate a property for listing in the West Bountiful Historic Sites List but proceedings cannot be initiated without written consent of the property owner. The nomination and listing procedures are as follows:

1. Completed Intensive Level Survey documentation for each nominated property must be submitted in duplicate to the Historic Preservation Commission.
2. The commission will review and consider properly submitted nominations at its next scheduled meeting. The commission will notify the nominating party, either orally or in writing one week prior to the meeting that the nomination will be considered and will place that item on the agenda posted for the meeting. The one-week notification may be waived at the nominating party's option in order to accommodate "last-minute" submittals, though no nomination will be reviewed if it is submitted to the commission less than forty-eight (48) hours prior to the meeting.
3. The Historic Preservation Commission will review the document for completeness, accuracy and compliance with the criteria for designating historic properties to the West Bountiful Historic Sites List and will make its decision accordingly.

C. Results of Designation to the Historic Sites List.

Owners of officially designated historic sites may obtain a historic site certificate from the Historic Preservation Commission. The certificate will contain the historic name of the property, the date of designation, and signature of the mayor and the Historic Preservation Commission chairperson.

D. Requirements for significant changes to a home on the Historic Sites List.

1. If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before that action takes place. The city will delay issuing a demolition permit for a maximum of fifteen (15) days and will notify a member of the Historic Preservation Commission, which will take responsibility for the documentation.
2. Documentation will include, at a minimum, exterior photographs (both black and white and color images) of all elevations of the historic building. When possible, both exterior and interior measurements of the building will be made in order to provide an accurate floor plan drawing of the building.
3. The demolition permit will be issued after fifteen (15) days from the initial application whether or not the commission has documented the building. The permit may be issued earlier if the commission completes its documentation before the fifteen (15) day deadline.
4. The documentation will be kept in the commission's historic site files, which are open to the public.

E. Removal of Properties from the Historic Sites List. Properties which, in the opinion of the Historic Preservation Commission, no longer meet the criteria for eligibility may be removed from the Historic Sites List after review and consideration by the commission.

2.44.050 West Bountiful historic landmark register.

Significant historic properties may be designated to the historic landmark register for the purposes of recognizing their significance and providing incentives and guidelines for their preservation.

A. Criteria for Designating Properties to the West Bountiful historic landmark register. Any district, building, structure, object or site may be designated to the historical landmark register if it meets all the criteria outlined below.

1. It is located within the official boundaries of the city;
2. It is currently listed in the National Register of Historic Places and a copy of the approved National Register form has been placed in the local historic preservation files, or it has been officially determined eligible for listing in the Nation Register of Historic Places under the provision of 36 CAR 60.6(s). Properties listed on or determined eligible for the National Register must, in addition to retaining their integrity as defined in section 2.44.040(A)(3)(a), meet at least one of the following National Register criteria:
 - a. Be associated with events that have made a significant contribution to the broad patterns of history;
 - b. Be associated with the lives of persons significant in West Bountiful's past;

- c. Embody the distinctive characteristics of a type, period or method of construction that represent the work of a master, that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - d. Have yielded, or may be likely to yield, information important in prehistory or history (archeological sites, for example).
- 3. It has been documented according to the Utah State Historic Preservation Office standards for Intensive Level Surveys (December 2010 version or subsequent revisions) or National Register standards and a copy of that documentation has been placed in the local historic preservation files.
- 4. The owner of the property approves of the action to designate the property to the historic landmark register and has submitted to the commission a written statement to that effect.
- 5. Historic Districts. Any district may be designated to the historic landmark register if a majority (over 50 percent) of the property owners in the proposed historic district is in favor of the designation or at least not opposed to it. Notice will be given to each affected property owner. Written objections, received within thirty (30) days of the date of the notice, from over 50 percent of the property owners will constitute lack of approval and will halt the designation process.

B. Designation Procedures.

- 1. Submittal to the commission of complete Intensive Level Survey or National Register of Historic Places documentation shall initiate the review process.
- 2. Upon receipt of the written request for designation, the commission chairperson shall arrange for the nomination to be considered at the next commission meeting, which shall be held at a time not to exceed thirty (30) days from the date the request was received.
- 3. The decision by the commission shall be based on the eligibility of the property in terms of meeting the Criteria for Designating Properties to the West Bountiful historic landmark register. The commission shall forward its recommendation in writing to the City Council within fourteen (14) days.
- 4. The City Council may, by resolution, accept the recommendation and designate the property to the historic landmark register, reject the recommendation, or remand the recommendation to the commission for further review.

C. Notification and Recording of Designation.

When historic properties have been officially designated to the West Bountiful historic landmark register by the City Council, the commission shall promptly notify the owners of those

properties and shall direct the city recorder to record the historic landmark register status designation with the county recorder's office.

D. Results of Designation to the Historic Landmark Register.

1. Properties designated to the historic landmark register may receive special consideration in the granting of zoning variances or conditional use permits in order to encourage their preservation.
2. In the event of rehabilitation of the property, local building officials will consider waiving certain code requirements in accordance with the current building code, which deals with historic buildings.
3. Owners of historic landmarks may seek assistance from the Historic Preservation Commission in applying for grants or tax credit for rehabilitating their properties.

E. Removal of Properties from the historic landmark register. Properties which, in the opinion of the Historic Preservation Commission, no longer meet the criteria for eligibility may be removed from the historic landmark register after review and consideration by the commission. The property owner shall be advised by mail of the Historic Preservation Commission meeting during which the removal will be considered. The owner will be notified of the decision of the commission and will have ten (10) days to appeal the decision of the commission to the city council, acting as the appeal authority, in accordance with the procedures provided in Chapter 2.40. Nothing in this chapter shall be construed to prevent an owner from removing his or her property from the historic landmark register as the owner in his or her sole discretion shall deem appropriate. Further, the city shall have no liability whatsoever for an owner's decision to remove property from the historic landmark register.

Chapter 17.24 RESIDENTIAL DISTRICT, R-1-10

Sections:

17.24.010 Purpose.

17.24.020 Permitted uses.

17.24.030 Conditional uses.

17.24.040 Area, width and frontage regulations.

17.24.045 Every dwelling to be on a lot – exceptions.

17.24.050 Yard regulations.

17.24.055 Lots and dwellings fronting on private streets – special provisions.

17.24.060 Height regulations.

17.24.070 Density.

17.24.080 Farm animal regulations.

17.24.090 Reserved.

17.24.100 Reserved.

17.24.110 Historical Overlay District (Ord. 348-12)

17.24.010 Purpose.

The residential district R-1-10 is established to provide for low density single-family residential neighborhoods of spacious and un-crowded character. The regulations of this chapter provide for single-family dwellings and, with proper concern for potential impact, special residential developments, and certain public and quasi-public activities that will serve the needs of families. These regulations are intended to preserve and enhance residential character and lifestyle.

Section 17.24.110 Historical Overlay District

The city recognizes that the historical heritage of the West Bountiful community is among its most valued and important assets. It is therefore the intent of West Bountiful to preserve, protect and enhance historic areas and sites within the city. These historic areas, included in the R-1-10 district, are designated as the West Bountiful Historical Overlay District. (See the West Bountiful zoning map for details.)

No dwelling or other building shall be erected or extensively altered on any lot in the historical district without the review and favorable recommendation of the construction plans by the architectural review board, as provided below. An architectural review board consisting of a member of the city planning department, licensed architect who has experience with Utah historical design, and the chairman of the Historic Preservation Commission will be responsible for reviewing historical design. The purpose of this review is to ensure the preservation of historic properties to the greatest degree possible. This review applies only to exterior work which requires a building permit, sign permit, or demolition permit. The applicant will pay a historic architectural review fee, as set periodically by resolution of the City Council.

Unless expressly stated to the contrary in this chapter, all provisions of the West Bountiful City Building Code and Ordinances shall apply in addition to the provisions of the Historic Preservation Commission Ordinance (Chapter 2.44) and this section. In the case of any direct conflict between this section and other provisions of the West Bountiful City Code or Ordinances, the more restrictive provision shall apply.

For properties within the historical district, all new development plat maps must indicate that the development is located in the historical district. In addition, each building lot must be marked with an "R" next to the lot number on all plat maps submitted to the planning commission and the City Council for approval and on the plat map filed with the county recorder. This "R" indicates to the buyer and to the contractor that the property has "restrictions" unique to the historical district and that additional procedures must be followed in the approval and construction phases.

The seller or other grantor of a building lot or a home in the historical district must give a prospective purchaser or grantee a building packet provided by the city containing a copy of the historical overlay district ordinance and a checklist of documents required to be submitted for review. The prospective purchaser of a building lot or an existing home in the historical district must sign for and acknowledge receipt of the building packet and execute and deliver to the city a statement of their willingness to comply with the historical district building procedures at least 15 days before closing on the purchase of any lot or existing home in the historical district.

The following requirements must be met before a building permit or demolition permit will be issued to the owner or developer of a property designated in a historical district or on the historic landmark register, unless the zoning administrator determines that the request will not adversely affects the historic integrity of the property.

For requests involving extensive rehabilitation or demolition, the following process will be used.

- A. The owner or developer will submit an application for a Certificate of Historic Appropriateness and design plans to the zoning administrator. Plans and materials will be in harmony with the requirements of this ordinance as well as the exterior design of the existing structures in the historical district.
- B. The architectural review board shall commence an initial review within 10 days of receipt of the application and proposed work for compliance with the Secretary of the Interior's "Standards for Rehabilitation," and any design guidelines adopted by the City Council, and will thereafter make a decision as to the approval or denial of the application.
- C. Properties designated to the historic landmark register may receive special consideration in the granting of zoning variances or conditional use permits in order to encourage their preservation.
- D. In the event of rehabilitation of the property, local building officials will consider waiving certain code requirements in accordance with the current building code, which deals with historic buildings.
- E. If a historic site is to be demolished or extensively altered:
 - 1. The zoning administrator will immediately notify the Historic Preservation Commission so they can document its physical appearance before that action takes place.
 - 2. The city will delay issuing a demolition or building permit for a maximum of fifteen (15) days and will notify a member of the Historic Preservation Commission, which will take responsibility for the documentation.
- F. The following standards for rehabilitation shall be used when determining the historic appropriateness of any application pertaining to historic landmark properties:
 - 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterized a property shall be avoided.
 - 3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature must match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials must not be used. The surface cleaning of structures, if appropriate, will be undertaken using the gentlest means practicable.
 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- G. The decision of the architectural review board must indicate which of the standards the approval was based on and, where appropriate, include a brief explanation. Copies of the decision shall be provided to the building inspector and the property owner.
- H. The architectural review board may approve a waiver to a Certificate of Historic Appropriateness for rehabilitation or demolition of a landmark property if the owner has presented substantial evidence demonstrating that unreasonable economic hardship will result from denial of the Certificate of Historic Appropriateness.
1. In order to sustain a claim of unreasonable economic hardship, the architectural review board may require the owner to provide information as to whether the property is capable of producing a reasonable return for the owner.
 2. Demonstration of economic hardship by the owner shall not be based on conditions resulting from willful or negligent acts by the owner, purchasing the property for substantially more than market value at the time of purchase, failure to perform normal maintenance and repairs, failure to diligently solicit and retain tenants, or failure to provide normal tenant improvements.
- I. An applicant who has been denied any permit based on the architectural review board's refusal to issue a Certificate of Historic Appropriateness may appeal denial to the planning commission, acting as the appeal authority, in accordance with the procedures provided in Chapter 17.08.

- J. Enforcement. The provisions of this section are subject to the enforcement provisions established in the current building code adopted by West Bountiful City, the West Bountiful Municipal Code, and other applicable laws.

For new construction within the historical district, the following process will be used.

- A. The owner or developer will submit an application for a Certificate of Historic Appropriateness and design plans to the zoning administrator. All construction plans and specifications shall include a list of the proposed construction materials which will be in harmony with the requirements of this ordinance as well as the exterior design of the existing structures in the historical district.
- B. Design Standards - To ensure historic appropriateness for new construction within the historical district, projects shall be compatible in design, character, size, and proportion to existing historic buildings in the district. New construction shall enhance the historic qualities and unique feeling of the historic areas of the city and shall not erode the character of the neighborhood and shall conform to the following standards:
1. Building Design. The West Bountiful historical district evolved over an approximate 100-year span and includes houses of many sizes and architectural styles. Lot sizes and setbacks are not consistent. These variations are part of the unique appeal of the area and should be respected and preserved as much as possible. New development in the historical district shall emulate this pattern by incorporating various size lots, various size houses, and various architectural designs appropriate to time period and area. There are fine architectural examples of Victorian, Prairie style, Craftsman, Bungalow, English, Temple/Greek Revival, and cottage styles in the historical district all of which are appropriate architectural styles for new construction. In addition, many other architectural home designs built in Utah between 1848 and 1940 may be appropriate, as determined by the architectural review board.
 2. Size. The size of the home shall correspond with the size of the lot. The house and all accessory buildings shall not cover more than 40% of the lot.
 3. Height. One-story, one and one-half story (upper floor incorporated into the roof line), and two story homes (with an attic above the 2nd story) are appropriate. However, the height cannot be more than 35 feet above the curb level.
 4. Exterior Facades. Brick is the predominant building material in the historical district. Therefore, the majority of houses should be brick with a fewer number of stone and clapboard homes. Appropriate materials for the outside walls of homes, garages, carriage houses and other outbuildings are brick, stone/cultured stone or wood/fiber-cement board (such as James Hardee). Contrasting materials may be used for pillars, lintels, quoins, keystones, trims, etc. but must receive positive recommendation by the architectural review board. Brick wainscot, vinyl siding, aluminum siding, and stucco panels will not be allowed. Walls, roof shapes, windows, doors, porches, and ornamental detail shall be historically correct for the home's architectural style and period of history.

5. Windows. Windows shall be appropriate in style and size for the home's period of architecture and must be uniform throughout the house. Windows must be recessed at least one inch from the outside of the exterior trim.
 6. Colors - shall be historically appropriate to the home's architectural style and period of history.
 7. Garages and other outbuildings. All houses shall be constructed with a garage for not less than two (2) vehicles and not more than three (3) vehicles. Garages must be the same architectural style and color as the home and may be (1) detached and located toward the back of the lot, (2) attached and flush to the house or extend up to five feet in front of the house if the garage is built to appear as part of the house and has a side or back opening, or (3) attached with a front opening if the front of the garage is set back at least five feet from the front of the house. The garage and other outbuildings shall be subordinate to the house and shall conform to the architectural style of the home.
 8. Fences. No privacy fences are allowed from the front of the home to the street. However, low fences in wood/wood composite, ornamental iron, brick, rock, natural hedges, shrubs or any combination of the above may be used in the front yard as part of the landscaping. . All fences shall comply with Section 17.24.100 of the West Bountiful Municipal Code, be appropriate to the style of the home and must receive positive recommendation by the architectural review board.
 9. Driveways, sidewalks, steps, lighting, and landscaping shall be historically appropriate to the home's architectural style and period of history.
- C. The architectural review board shall have 30 days to review the plans. Upon completion of the review, the board will either; (a) recommend the plans and specifications as submitted, or (b) notify the party making such request of any objections (such objections to be specifically stated). If objections are noted, the requesting party may resubmit a request for recommendation rectifying any such objections to the city. The architectural review board shall then have an additional 10 days after receipt of said revisions for review. The recommendation or denial of submitted plans shall be in writing and returned to the party making a submission, together with a notation of recommendation or denial and the date affixed to one copy of such plans and specification.
 - D. Upon approval of a Certificate of Historic Appropriateness by the architectural review board the owner or developer may obtain a building permit from the City. Building inspections and/or occupancy approvals will be withheld if the structure is not in compliance with the historical design approved by the architectural review board. For homes in the historical district, a bond will be required to assure compliance with approved architectural design. The amount of the bond will be set periodically by the City Council.
 - E. An applicant who has been denied any permit based on the architectural review board's refusal to issue a Certificate of Historic Appropriateness may appeal denial to the planning commission, acting as the appeal authority, in accordance with the procedures provided in Chapter 17.08.

- F. **Enforcement.** The provisions of this section are subject to the enforcement provisions established in the current building code adopted by West Bountiful City, the West Bountiful Municipal Code, and other applicable laws.